

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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Emanuel Bermeo Lozado, and Miguel Bermeo
Lozado, *on behalf of themselves and others*
similarly situated in the proposed FLSA
Collective Action,

Case No.: 1:23-cv-01680

Plaintiffs,

- against -

**AFFIDAVIT OF EMANUEL
BERMEO LOZADO (A/K/A
EMANUEL LEONARDO BERMEO
GUZMAN)**

Centro Glass Corp., and Victor Elias Bermeo
Guzman,

Defendants.

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I, Emanuel Bermeo Lozado (a/k/a Emanuel Leonardo Bermeo Guzman), declare pursuant
to 28 U.S.C. § 1746, that:

1. I am an individual Plaintiff in the above-captioned action, and I am familiar with
the facts and circumstances discussed herein based upon personal knowledge.

2. I make this declaration in support of Plaintiffs' motion for default judgment against
Defendants Centro Glass Corp. (the "Corporate Defendant) and Victor Elias Bermeo Guzman (the
"Individual Defendant", and together, the "Defendants"), pursuant to Federal Rule of Civil
Procedure ("Fed.R.Civ.P.") 55(b) (the "Motion for Default").

3. The Defendants own and operate a glass instillation business, known as "Central
Glass".

4. I was employed as a general worker at Central Glass, from on or around
approximately July 2022 to, through and including, October 2022.

5. Defendants had the power to hire and fire me, control the terms and conditions of
my employment, and determine the rate and method of my compensation.

6. My duties at Central Glass required neither discretion nor independent judgment.

7. From approximately July 2022 to, through and including, October 2022, I worked as a general worker at Central Glass, as follows: six (6) days per week: from 8:00 a.m. to 6:00 p.m. or 7:00 p.m. (*i.e.*, 10 or 11 hours each day), for an average total period of approximately 60 to 66 hours during each of the weeks, respectively.

8. During this period, Defendants paid me a flat salary of \$250 per day.

9. Throughout my employment, I regularly worked for the Defendants in excess of forty (40) hours a week but never received an overtime premium of one and one-half times my regular rate of pay for those hours.

10. I was not required to keep track of my time, nor to my knowledge, did the Defendants utilize any time tracking device, such as sign in sheets or punch cards, that accurately reflected my actual hours worked.

11. No notification, either in the form of posted notices, or other means, was ever given to me regarding wages are required under the FLSA or NYLL.

12. Defendants did not provide me with a statement of wages, as required by NYLL 195(3).

13. Defendants did not give any notice to me of my rate of pay, employer's regular pay day, and such other information as required by NYLL § 195(1).

14. Defendants' failure to provide accurate wage notices and accurate wage statements denied me of my statutory right to receive true and accurate information about the nature of my employment and related compensation policies.

15. Moreover, the breach of the obligations injured me by denying me the right to know the conditions of my compensation, and resulted in the underpayment of wages averred above.

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VERIFICATION

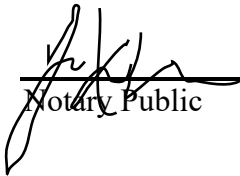
I, Emanuel Leonardo Bermeo Guzman, verify under penalty of perjury under the laws of the United States of America and New York that the foregoing facts and statements are true and correct to the best of my knowledge.

Dated: New York, New York
October 4, 2023

EMANUEL LEONARDO BERMEO GUZMAN



Emanuel/Leonardo Bermeo Guzman



Notary Public

Jason Mizrahi
Notary Public, State of New York
Registration #02MI6434172
Qualified in New York County
Commission Expires May 31, 2026